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PART III.

Legislative Measures and Rules thereunder.

Notification No. P. 6713—Police 142-23, dated 30th June 1926.

In exercise of the powers conferred by Sections 4, 6, 12 and 22 of the Mysore Arms Regulation (VI of 1890) and in supersession of all previous notifications made thereunder, the Government of His Highness the Maharaja are pleased to make the following rules:—

THE MYSORE ARMS RULES, 1926.

Short Title.

1. (1) These rules may be called the Mysore Arms Rules, 1926.

(2) They shall come into force on the 1st day of September 1926.

Interpretation.

2. (1) In these rules, unless there is anything repugnant in the subject or context,—

'Form' means a form as set out in Schedule IV; and

'the Regulation' means the Mysore Arms Regulation, 1890.

(2) The General Clauses Regulation, 1899, shall apply for the purpose of the interpretation of these rules in like manner as it applies for the purpose of the interpretation of a Regulation in force in Mysore.

APPLICATION OF THE REGULATION.

Exemption & Exclusion and Withdrawal.

3. (1) The persons and classes of persons and the arms and ammunition specified or described in Schedules I and II are respectively exempted, excluded and withdrawn to the extent and subject to the conditions therein specified from the operation or prohibitions and directions contained in the Regulation.

Provided that the exemptions specified in Schedule I are made subject to the following conditions, *viz.* :—

(*a*) any person so exempted shall register in such manner as the Government may prescribe, any fire-arm or ammunition for the same in respect of which he is exempted from the operation of any provision of the Regulation;

(*b*) Every person shall, on the loss or theft of any arm in respect of which he is so exempted, forthwith report the occurrence at the nearest police station; and

(*c*) the Government may, by notification in the *Mysore Gazette*, direct that any such exemption conferred on a class of persons shall cease to extend to any person included in that class who may be named in the notification.

(2) Any person failing to comply with any condition of exemption set out in provisos (*a*) and (*b*) to sub-rule (1) shall be deemed to have violated these rules.

Extension.

4. (*a*) All sections of the Regulation are extended to sulphur in quantities exceeding ten seers.

(*b*) Leaden birdshots and bullets when possessed in quantities exceeding 1 cwt. at any time shall be deemed to be military stores within the meaning of the Regulation.

TRANSPORT.

Prohibition of transport of arms, ammunition or military stores otherwise than under license.

5. (1) Save as herein otherwise provided, the transport of arms, ammunition or military stores is prohibited over the whole of Mysore, except under a license and to the extent and in the manner permitted by such license.

(2) Nothing in sub-rule (1) shall be deemed to apply—

(*a*) to arms and ammunition transported personally or as personal luggage in reasonable quantities for his own use by any person lawfully entitled to possess arms or go armed;

(*b*) to arms, ammunition, or military stores transported—

(i) in reasonable quantities for his own use from the premises of a licensed dealer, by any person licensed to possess such articles or exempted from the liability to obtain such a license, or

(ii) by a licensed dealer, where such articles are transported in a case or package legibly addressed to such a person as is referred to in sub-clause (i), in compliance with an order given by such person for the supply of such articles in reasonable quantities for his own use.

Restriction upon transport cannon and certain other articles.

6. (1) A license for the transport of—

(*a*) cannon,

(*b*) articles designed for torpedo service,

(*c*) war-rockets, or

(*d*) machinery for the manufacture of arms or ammunition,

may be granted in Form I only by the Government of Mysore.

(2) A copy of every license granted in accordance with sub-rule (1) shall forthwith be sent to the Inspector-General of Police and to the District Magistrate of the District in which such place is situated.

Transport of arms, ammunition or military stores.

7. (1) Save as otherwise provided by rule 6, a license for the transport of arms, ammunition or military stores may be granted in Form II by the District Magistrate of the District in which the place from which the arms, ammunition or stores are consigned, is situated.

(2) A copy of every license granted under sub-rule (1) for transport beyond the local limits of the authority of the officer granting it, shall forthwith be sent to the District Magistrate of the district in which such place is situated.

(3) A copy of every license granted under sub-rule (1) by a District Magistrate for transport within the limits of his district shall forthwith be sent to the subordinate Magistrate (if any) having authority at the place to which the arms, ammunition or stores are consigned.

(4) Where the arms, ammunition or stores are transported by rail, a copy of the license shall be attached to the way-bill or invoice, as the case may be, and telegraphic advice of every such consignment shall be sent by the railway authorities from the forwarding to the receiving station; and the consignment shall not be taken from the railway premises unless the Railway Police, or, if there are no Railway Police, the railway authorities, have satisfied themselves that the arms, ammunition or stores correspond with the description given in the license.

Delivery of Transport licenses.

8. (1) The consignee of any arms, ammunition or military stores transported by land or river under a license, shall deliver the license within six days of the arrival of the consignment at its destination to the District Magistrate of the district in which the place of destination is situated or to such other Magistrate as the District Magistrate may appoint in that behalf.

(2) Any officer to whom a license is delivered under sub-rule (1) shall satisfy himself—

(*a*) that the arms, ammunition or military stores correspond with the description given in the license, and

(*b*) that any deficiency is properly accounted for, and any subordinate Magistrate, to whom a license is delivered under that sub-rule, shall forward it to the District Magistrate.

MANUFACTURE AND SALE.

Manufacture, conversion, sale and keeping for sale of arms ammunition or military stores.

9. (1) A license—

(*a*) in Form III to manufacture, convert, sell or keep for sale, or

(*b*) in Form IV to sell and keep for sale,

any arms, ammunition or military stores may, save as otherwise provided by sub-rule (2), be granted by the District Magistrate or other officer empowered by the Government in this behalf.

(2) A license—

(*a*) in Form V to manufacture, convert, sell or keep for sale, or

(*b*) in Form VI to sell or keep for sale,

breech-loading rifles, pistols, rivolvers and ammunition or military stores for rifles, pistols and rivolvers shall be granted only by the Government.

(3) The Government may, by licenses granted by it under this rule, authorise selected dealers to sell and keep for sale a specified amount of ammunition for rifles of .303 or of .450 bore and for pistols and revolvers of .441, .455 of any intermediate bore.

Provided that the licensee shall not sell from his stock to any person who does not hold a license to possess such ammunition.

(4) Every Magistrate and every Police Officer not below the rank of Inspector, may, within the local limits of his authority,—

(*a*) enter and inspect any premises in which arms, ammunition or military stores are manufactured, converted, sold, or kept for sale, and

(*b*) examine the stock and accounts of receipts and sales of arms, ammunition or military stores.

POSSESSION.

Restriction upon possession of cannon, and certain other articles.

10. (1) A license for the possession of :—

(*a*) cannon,

(*b*) articles designed for torpedo service,

(*c*) war rockets, or

(*d*) machinery for the manufacture of arms and ammunition,

may be granted in Form I only by the Government of Mysore.

(2) A copy of every license granted under sub-rule (1) shall forthwith be sent to the Inspector-General of Police and to the District Magistrate of the district in which such place is situated.

Possession of arms, ammunition or military stores.

11. Save as otherwise provided by rule 10, a license for the possession only of arms (other than pistols or revolvers), ammunition or military stores may be granted in Form VII by the District Magistrate or other officer empowered by the Government in that behalf.

License for the possession and use of firearms for purposes of target practice.

12. A license for the possession and use of firearms, for the purposes of target practice, by the members of any military mess or of any club or association may, with the sanction of the Government, be granted in Form VIII in the name of the mess, club or association, by the District Magistrate or other officer empowered by the Government in that behalf.

POSSESSION AND GOING ARMED.

Possession of arms and ammunition and going armed for sport, protection or display.

13. Save as otherwise provided by rule 10, a license for the possession of arms and ammunition in reasonable quantities and for going armed for the purposes of sport, protection or display, may be granted in Form IX by the District Magistrate or other officer empowered by the Government in that behalf.

Provided that—

(i) no license shall be granted for the possession of rifles of .303 or .450 bore or of pistols or of revolvers of .441, .455 or any intermediate bore or of ammunition for the same or for going armed with such rifles, pistols or revolvers unless such rifles, pistols or revolvers or such ammunition have been lawfully imported into Mysore; and

(ii) no license shall be granted in respect of balled ammunition for rifles, pistols or revolvers of such bores, unless the authority granting the license is satisfied that

such rifle is lawfully possessed by the owner thereof for sporting purposes or that such pistol or revolver has been lawfully imported into Mysore, as the case may be, and the amount of balled ammunition which such licensee may possess during the period of twelve months next ensuing shall be entered in the license.

Possession of arms, and ammunition, and going armed for the destruction of wild animals.

14. A license for the possession of arms and ammunition and for going armed for the destruction of wild animals which do injury to human beings or cattle may be granted in Form X by the District Magistrate or other officer empowered by the Government in that behalf.

Possession of arms and ammunition, and going armed for the protection of crops.

15. A license for the possession of arms and ammunition, and for going armed for the destruction of wild animals which do injury to crops or cattle may be granted in Form XI by the District Magistrate or other officer empowered by the Government in that behalf:

Provided that such license

(*a*) shall only be granted to *bona fide* cultivators; and

(*b*) shall be valid only in the place or area specified in the license by the licensing officer.

Going armed on a journey

16. (1) A license for going armed on a journey within the Mysore State to a person, who does not possess a license in Form IX for the area covered by the journey, may be granted in Form XII by the District Magistrate or other officer empowered by the Government in that behalf.

(2) Where a District Magistrate or other officer receives an application for a license of the nature referred to in sub-rule (1) from any person who—

(*a*) is not resident within the local limits of his authority, or,

(*b*) is not personally known to him,

he shall, before granting the license, ascertain from the District Magistrate of the District in which the applicant usually resides whether there is any objection to the grant of the license unless, for reasons to be recorded, he considers this precaution to be unnecessary.

Applications for licenses.

17. (1) Every person who wishes to obtain a license under these rules shall apply in writing, through the medium of the post office or otherwise at his option, to the nearest authority empowered to grant such license, and shall in such application furnish all such particulars as may be necessary to enable such license to be granted:

(2) Without prejudice to the generality of sub-rule (1) every person applying for a license for the transport of any arms, ammunition or military stores shall specify in his application :—

(*i*) the place of destination,

(*ii*) the route,

(*iii*) the time likely to be occupied in the journey, and

(*iv*) the quantity, description and price of each kind of arms, ammunition or stores in respect of which the license is required and the purpose for which they are intended.

Form of licenses.

18. Every license shall be granted or renewed in the appropriate Form for a period not exceeding three years, and subject to the conditions set forth in such Form, and, save as therein otherwise expressly provided, the arms, ammunition or military stores specified and the persons named in the license shall alone be covered thereby.

Duration and renewal of licenses.

19. (1) Save as herein otherwise provided, every license under these rules shall, unless previously cancelled, be in force for such period and expire on such day as, subject to any restrictions or limitations provided in the appropriate Form, the authority granting it may enter thereon.

(2) A license for the transport of arms, ammunition or military stores shall not, save for special reasons to be recorded by the authority granting it, be granted for a period longer than twice the time likely to be occupied in the journey to the place of destination by the route indicated in the license.

(3) Every license may, at its expiration, be renewed by the authority who granted it, or by any other authority empowered to grant a license of the description in question:

Provided as follows:—

(*a*) Licenses in Form V or Form VI may, where the Government so directs, be renewed by the District Magistrate of the District in which the licensee resides or carries on business;

(*b*) any officer empowered by Government may renew a license in Form IX; and

(*c*) where a license is renewed by an authority other than the authority who granted it, the former shall forthwith inform the latter of the fact of renewal and the period for which such renewal is valid.

Discretion and control of authorities empowered to grant licenses.

20. (1) Every authority empowered to grant or renew a license may, in his discretion,—

(*a*) refuse to grant or renew such license; or

(*b*) where the authority is subordinate to Government, refer the application for orders to Government.

Provided that in any case in which such authority refuses to grant or renew a license, the applicant for such grant or renewal may appeal to the immediate official superior of the authority so refusing.

(2) Every such authority shall exercise all powers and perform all duties conferred or imposed by these rules, subject to the control of the executive authorities to whom he is subordinate.

Obligation to produce licenses.

21. (1) Any person who—

(*a*) holds a license granted or renewed under these rules, or

(*b*) is acting under colour of such license,

shall forthwith produce such license upon the demand of any Magistrate or of any Police officer of a rank not below that of officer in charge of a Police station.

(2) Nothing in sub-rule (1) shall be deemed to limit or otherwise affect the power of any authority empowered to grant or renew a license to grant or renew it upon any condition not inconsistent with that sub-rule, with respect to the production of such license.

Production of Arms.

22. The authority by whom any license has been granted under rule 11, rule 13, rule 14 or rule 15, may, for the purpose of satisfying himself that any arms covered by such licenses are still in the possession of the licensee, at any time while the license is in force, by order in writing require the licensee to produce the arms at such time and place and for the inspection of such person as may be specified in the order.

Fees payable for licenses.

23. (1) Every license granted or renewed under these rules shall, save as herein otherwise expressly

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provided, be chargeable with the fee (if any) indicated in the Form in which it is granted or renewed.

(2) The Government may, by general or special order, grant exemption from, or reduction of, the fee payable in respect of any license.

(3) The Government may, by general or special order, remit or reduce the fee payable in respect of the grant or renewal of any license for the transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Government to be required in good faith for medicinal, agricultural, manufacturing or industrial purposes other than the manufacture of ammunition;

(4) No fee shall be chargeable in respect of the grant or renewal of any license in Form IX to any member of any of the classes of persons specified in the first column of Schedule III for possession of and going armed with the arms and ammunition specified in the corresponding entry in the second column thereof.

Fees payable for duplicates.

24. Where a license granted or renewed under these rules is lost or accidentally destroyed, the authority empowered to grant such license may grant a duplicate:—

(*a*) where the original license was granted without the payment of any fee, free of all fee; or

(*b*) in any other case, on payment of a fee of one rupee or of the fee with which the original license was chargeable, whichever is less.

llection and refund of Fees.

25. (1) All fees payable under rule 23 or rule 24 shall be paid by means of non-judicial stamps.

(2) Where a fee of not less than one rupee payable under these rules has been realised, and the application for the grant or renewal of a license or duplicate is refused, the value of the fee shall be refunded upon application for the same being made within two months from the date of such refusal.

Cancellation of the Mysore Arms Rules, 1917.

26. The Mysore Arms Rules, 1917, are hereby cancelled:

Provided, that all exemptions, exclusions and withdrawals made, all licenses or duplicates granted or renewed, all fees imposed, levied, remitted or reduced, and all powers conferred by or under those rules shall, so far as they are consistent with these rules, be deemed to have been respectively made, granted, renewed, imposed, levied, remitted, reduced or conferred hereunder.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.